

REQUEST FOR COUNCIL ACTION

MEETING

DATE: 08-18-03

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AGENDA SECTION: PUBLIC HEARINGS	ORIGINATING DEPT: PLANNING	ITEM NO. E-14
ITEM DESCRIPTION: Annexation Petition #03-19 by Larry Brown to annex approximately 2.15 acres of land located along the south side of T.H. 14, east of 40 th Avenue SE.		PREPARED BY: Theresa Fogarty, Planner

August 14, 2003

City Planning and Zoning Commission Recommendation:

The City Planning and Zoning Commission reviewed this annexation request on August 13, 2003. The Commission found that this property is adjacent to the City limits and can be served by city services with completion of the planned "The Villas of Valley Side Phase II" project and sanitary sewer may not be available to serve this property, but can be served with a private lift station installed and maintained by the owner. The Planning Commission therefore recommends approval of this request.

Mr. Haeussinger moved to recommend approval of Annexation Petition #03-19 by Larry Brown as recommended by staff. Ms. Petersson seconded the motion. The motion carried 8-0.

Planning Department Recommendation:

See attached staff report, dated August 6, 2003.

Minnesota Statutes now specify that the property taxes payable in the year an annexation is effective shall be paid to the Township. For the five years following the annexation, the City must make a cash payment to the Township equaling 90%, 70%, 50%, 30% and 10% of the Townships share of the taxes in the year the property was annexed. The Township Taxes on this property for 2003 is \$15.52.

Council Action Needed:

1. Following the public hearing, if the Council wishes to proceed as petitioned, it should instruct the City Attorney to prepare an ordinance to be adopted and transmitted to the MN Planning /Office of Strategic and Long Range Planning.

Attachments

1. Staff report, dated August 6, 2003.
2. Draft copy of the minutes of the August 13, 2003, CPZC meeting

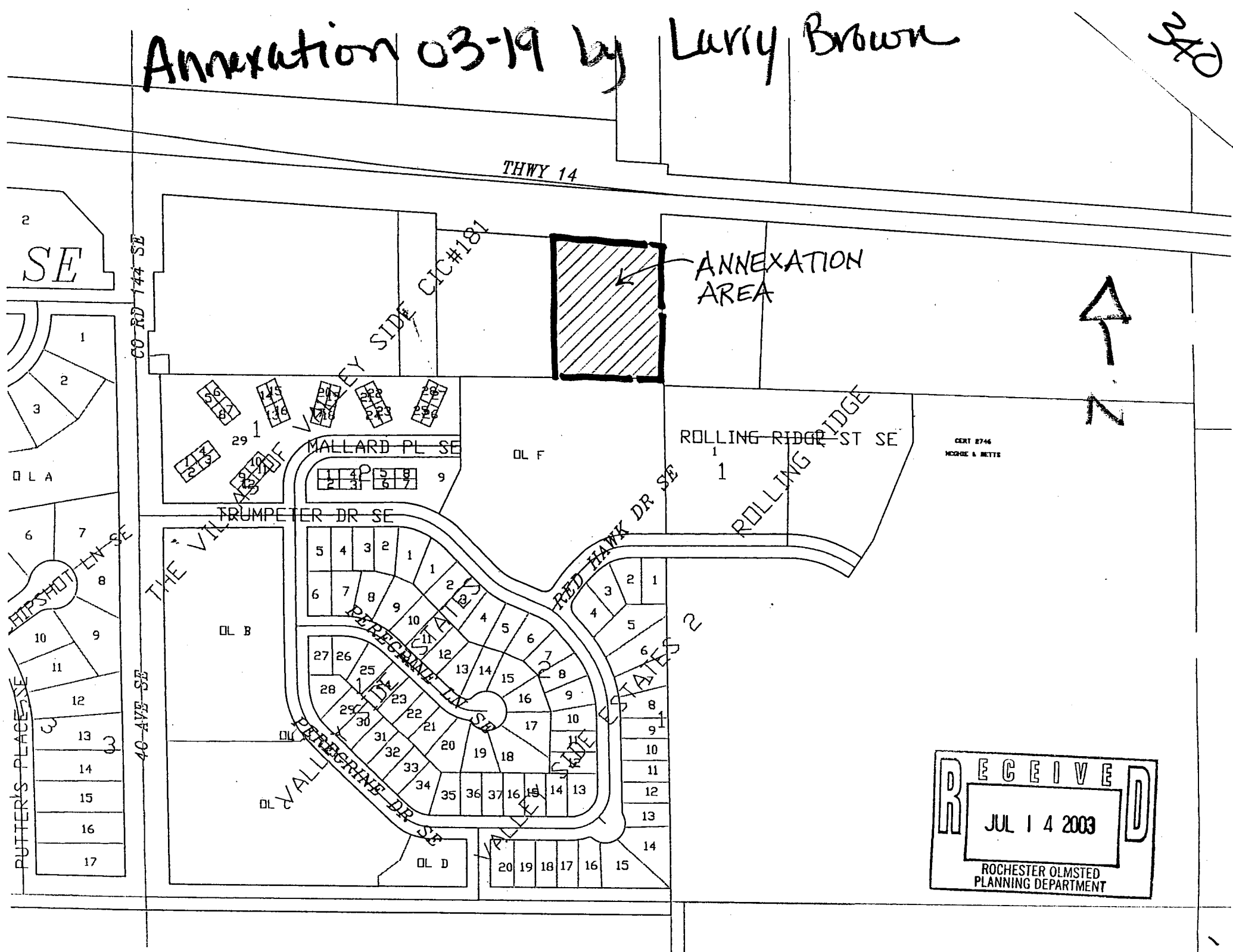
Distribution:

1. City Administrator
2. City Clerk
3. City Attorney: Legal Description Attached
4. City Finance Director: Tax Information Attached
5. Planning Department File
6. Applicant: This item will be considered sometime after 7:00 p.m. on Monday, August 18, 2003 in the Council Chambers at the Rochester / Olmsted County Government Center.

COUNCIL ACTION: Motion by: _____ Second by: _____ to: _____

Annexation 03-19 by Larry Brown

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PLANNING DEPARTMENT

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Draft Minutes of the City Planning & Zoning Commission
Date of Hearing: August 13, 2003

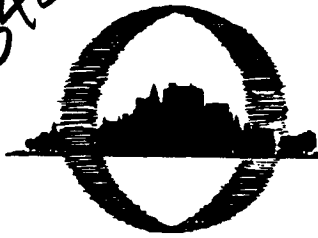
ANNEXATION:

Annexation By Ordinance #03-19 by Larry M. Brown to annex approximately 2.15 acres of land located along the south side of TH 14, east of 40th Ave. SE.

Mr. Brent Svenby presented the staff report, dated August 6, 2003, to the Commission. The staff report is on file at the Rochester-Olmsted Planning Department.

Mr. Haeussinger moved to recommend approval of Annexation By Ordinance #03-19 by Larry M. Brown as presented by staff. Ms. Petersson seconded the motion. The motion carried 8-0.

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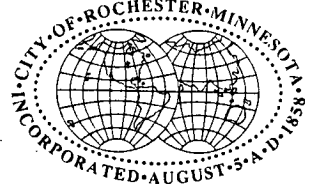
ROCHESTER-OLMSTED PLANNING DEPARTMENT

2122 Campus Drive SE, Suite 100 • Rochester, MN 55904-4744

COUNTY OF

Olmsted

www.olmstedcounty.com/planning



TO: City Planning and Zoning Commission
FROM: Theresa Fogarty, Planner
DATE: August 6, 2003
RE: Annexation Petition #03-19 by Larry Brown to annex approximately 2.15 acres of land located along the south side of TH 14, east of 40th Avenue SE.

Planning Department Review:

Applicants/Owners: Larry Brown
6556 NE 70th Avenue
Rochester, MN 55906

Existing Land Use: This property is currently undeveloped land.

Existing Zoning: The property is zoned A-4 (Agricultural Urban Expansion) District on the Olmsted County zoning map.

Future Zoning: Upon annexation, the property will be zoned H (Holding) district on the Rochester zoning map. The applicant is proposing to file an amendment to the land use plan & zoning district and a GDP on this property to commercial use.

Land Use Plan: This property is designated for "low density residential" uses on the Rochester Urban Service Area Land Use Plan.

Adjacency to the Municipal Limits: The property is adjacent to the city limits along its southern boundary.

Sewer & Water: The Rose Harbor Level Water System service will be available to this property with completion of the planned "The Villas of Valley Side Phase II" project.

Gravity sanitary sewer may not be available to serve this property. The owner may be required to install / maintain a private lift station.

Utilities: Pursuant to Minnesota Statutes 414.033 (subd. 13), a municipality must notify a petitioner that the cost of electric utility service may change if the land is annexed to the municipality. A notice has been provided to the applicant.



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Townboard Review:

Minnesota State Statutes require that the Townboard members receive a written notice, by certified mail, 30 days prior to the public hearing. The City Council will hold a public hearing on this item on Monday, August 18, 2003. The City Clerk has sent the certified 30 day notice.

Referral Comments:

No referral comments attached

Report Attachments:

1. Annexation Map / Location Map

Staff Recommendation:

This property is adjacent to the City limits and can be served by city water services with completion of the planned "The Villas of Valley Side Phase II" project and sanitary sewer may not be available to serve this property, but can be served with a private lift station installed and maintained by the owner. The Planning staff recommends that the City proceed to adopt an ordinance annexing the property according to Minnesota Statutes 414.033, Subdivision 2(3).

Staff is also recommending that this property be placed in the "H" Holding zone.

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